



# Journal of the House

State of Indiana

112th General Assembly

Second Regular Session

Fourth Meeting Day

Wednesday Afternoon

January 9, 2002

The House convened at 1:00 p.m. with the Speaker in the Chair.

The invocation was offered by Reverend Richard Miller, St. Andrew Episcopal Church, Valparaiso, the guest of Representative Duane Cheney.

The Pledge of Allegiance to the Flag was led by Representative Cheney.

The Speaker ordered the roll of the House to be called:

|              |             |
|--------------|-------------|
| T. Adams     | Hoffman     |
| Aguilera     | Kersey      |
| Alderman     | Klinker     |
| Atterholt    | Kromkowski  |
| Avery        | Kruse       |
| Ayres        | Kruzan      |
| Bardon       | Kuzman      |
| Bauer        | Lawson      |
| Becker       | Leuck       |
| Behning      | Liggett     |
| Bischoff     | J. Lutz     |
| Bodiker      | Lytle       |
| Borror       | Mahern      |
| Bosma        | Mangus      |
| Bottorff     | McClain     |
| C. Brown ... | Mock        |
| T. Brown     | Moses       |
| Buck         | Munson      |
| Budak        | Murphy      |
| Buell        | Noe         |
| Burton       | Oxley       |
| Cheney       | Pelath      |
| Cherry       | Pond        |
| Cochran      | Porter      |
| Cook         | Reske       |
| Crawford     | Richardson  |
| Crooks       | Ripley      |
| Crosby       | Robertson   |
| Day          | Ruppel      |
| Denbo        | Saunders    |
| Dickinson    | Scholer     |
| Dillon       | M. Smith    |
| Dobis        | V. Smith    |
| Dumezich     | Steele ...  |
| Duncan       | Stevenson   |
| Dvorak       | Stilwell    |
| Espich       | Sturtz      |
| Foley        | Summers     |
| Frenz        | Thompson    |
| Friend       | Tincher     |
| Frizzell     | Torr        |
| Fry ...      | Turner      |
| GiaQuinta    | Ulmer       |
| Goodin       | Weinzapfel  |
| Grubb        | Welch       |
| Harris       | Whetstone   |
| Hasler       | Wolkins     |
| Herndon      | D. Young    |
| Herrell      | Yount       |
| Hinkle       | Mr. Speaker |

Roll Call 5: 97 present; 3 excused. The Speaker announced a quorum in attendance. [NOTE: ... indicates those who were excused.]

## HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 10, 2002, at 10:00 a.m.

RESKE

Motion prevailed.

## INTRODUCTION OF BILLS

The following bills were read a first time by title and referred to the respective committees:

**HB 1133** — Frenz (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1134** — Summers, Porter (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1135** — Summers, Crawford (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

**HB 1136** — Summers, Crawford (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1137** — Ayres, Stevenson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1138** — Ayres, Stevenson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1139** — Bodiker, Burton, Goodin, Hinkle (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**HB 1140** — Bodiker, Burton, Goodin, Hinkle (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

**HB 1141** — Bodiker, Hoffman, Saunders (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1142** — Crawford (Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning consumer credit.

**HB 1143** — Crawford, Buell, Scholer, Welch (Commerce, Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1144** — Mangus (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1145** — Munson (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1146** — Munson (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1147** — Munson (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1148** — Munson (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1149** — Fry (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

**HB 1150** — Welch, Cook, Atterholt, Crawford (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1151** — Pelath (Commerce, Economic Development and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

**HB 1152** — Pelath (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1153** — Pelath (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1154** — Goodin (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1155** — Goodin (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

**HB 1156** — Goodin (Education)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1157** — Hasler (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1158** — Hasler (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1159** — Dickinson, Crawford (Human Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

**HB 1160** — Dickinson (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1161** — Welch, Budak (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

**HB 1162** — Day (Ways and Means)

A BILL FOR AN ACT concerning Medicaid.

**HB 1163** — Crooks (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1164** — Crooks (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1165** — Crooks (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1166** — Crooks (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1167** — Crooks (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1168** — McClain, Grubb (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1169** — Kuzman (Public Policy, Ethics and Veterans Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulations; consumer sales and credit.

**HB 1170** — Goodin (Roads and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

**HB 1171** — Avery, Atterholt, Porter (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

**HB 1172** — Fry (Insurance, Corporations and Small Business)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

**HB 1173** — Cook (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

**HB 1174** — Kromkowski, Cheney, Richardson, Behning (Elections and Apportionment)

A BILL FOR AN ACT to amend the Indiana Code concerning the federal decennial census.

**HB 1175** — Bottorff (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

**HB 1176** — Bottorff (Agriculture, Natural Resources and Rural Development)

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

**HB 1177** — Harris, Dickinson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

**HB 1178** — Harris, Dickinson (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

**HB 1179** — Kromkowski (Public Health)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

**HB 1180** — L. Lawson (Courts and Criminal Code)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

**HB 1181** — Steele (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1182** — Steele (Rules and Legislative Procedures)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

**HB 1183** — Herrell, T. Adams (Ways and Means)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

## INTRODUCTION OF JOINT RESOLUTIONS

The following joint resolutions were read a first time by title and referred to the respective committees:

### HJR 6 — Munson (Rules and Legislative Procedures)

A JOINT RESOLUTION proposing an amendment to Article 4 of the Indiana Constitution concerning the general assembly.

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the One Hundred Twelfth General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

SECTION 2. ARTICLE 4, SECTION 3 OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section 3. (a) Senators shall be elected for ~~the a~~ term of four years, ~~and Representatives for the term of two years, beginning from~~ the day ~~next~~ after their general election. **An individual may not serve more than twelve years as a Senator. An individual elected a Senator or serving as a Senator on November 2, 2004, may serve the term to which the individual was elected.** One half of the Senators, as nearly as possible, shall be elected biennially.

(b) **Representatives shall be elected for a term of two years, beginning the day after their general election. An individual may not serve more than twelve years as a Representative. An individual elected a Representative or serving as a Representative on November 2, 2004, may serve the term to which the individual was elected.**

## RESOLUTIONS ON FIRST READING

### House Concurrent Resolution 3

Representatives Oxley and Stilwell introduced House Concurrent Resolution 3:

A CONCURRENT RESOLUTION urging the department of natural resources not to purchase any more land in Crawford and Perry counties using money from the heritage trust funds.

*Whereas, The Indiana heritage trust fund was established in 1992 to acquire properties for new or existing state parks, state forests, nature preserves, wetlands, and fish and wildlife areas to ensure that Indiana's natural heritage would be preserved for future generations;*

*Whereas, Because land purchased by the department of natural resources using heritage trust fund money is not taxed, the property tax base for Crawford and Perry counties is being reduced; and*

*Whereas, Since property taxes are the main source of funding for local governments, this reduced property tax base will result in a hardship to governmental entities in Crawford and Perry counties: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:*

SECTION 1. That the Indiana General Assembly urges the department of natural resources to stop purchasing land in Crawford and Perry counties using money from the heritage trust fund.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to the director of the department of natural resources.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator R. Young.

## OTHER BUSINESS ON THE SPEAKER'S TABLE

### Reassignments

The Speaker announced the reassignment of House Bill 1030 from the Committee on Ways and Means to the Committee on Public Policy, Ethics and Veterans Affairs.

### HOUSE MOTION

Mr. Speaker: I move that Representatives Sturtz and Herndon be added as coauthors of House Bill 1054.

L. LAWSON

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representatives McClain and Budak be added as coauthors of House Bill 1094.

FRIEND

Motion prevailed.

### HOUSE MOTION

Mr. Speaker: I move that Representatives Dvorak and Noe be added as coauthors of House Bill 1109.

TORR

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Dvorak the House adjourned at 1:40 p.m., this ninth day of January, 2002, until Thursday, January 10, 2002, at 10:00 a.m.

JOHN R. GREGG  
Speaker of the House of Representatives

LEE ANN SMITH  
Principal Clerk of the House of Representatives